

# ARKANSAS SUPREME COURT

No. CR 81-96, CACR 81-134 & CR 83-99

DENNIS RAY MATTHEWS  
Petitioner

v.

STATE OF ARKANSAS  
Respondent

Opinion Delivered September 25, 2008

PRO SE MOTION FOR DUPLICATION  
OF RECORDS AT PUBLIC EXPENSE  
[CIRCUIT COURT OF PULASKI  
COUNTY, CR 81-195, CR 81-291]

MOTION DENIED.

## PER CURIAM

Now before us is a motion filed by petitioner Dennis Ray Matthews seeking duplication of records at public expense for “all case records and references thereto . . . [f]rom 1981 until present date.”<sup>1</sup> Petitioner, who contends that he is incarcerated and indigent, presents no grounds for the request.<sup>2</sup>

A petitioner is not entitled to a free copy of material on file with this court unless he or she demonstrates some compelling need for certain documentary evidence to support an allegation contained in a timely petition for postconviction relief. *See Austin v. State*, 287 Ark. 256, 697

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<sup>1</sup>In 1982, this court affirmed petitioner’s conviction for rape, *Matthews v. State*, 275 Ark. 1, 627 S.W.2d 20 (1982), and the Arkansas Court of Appeals affirmed petitioner’s conviction for aggravated robbery, *Matthews v. State*, CACR 81-134 (Ark. App. Mar. 10, 1982) (per curiam). In addition, this court denied petitioner’s request to proceed in the circuit court pursuant to Arkansas Rule of Criminal Procedure 37.1. *Matthews v. State*, CR 83-99 (Ark. Oct. 3, 1983) (per curiam).

<sup>2</sup>For clerical purposes, the motion has been filed under the docket numbers assigned to the direct appeals of the judgments and order denying postconviction relief lodged in the appellate court. This court decides all motions for photocopying at public expense because such motions are considered to be requests for postconviction relief. *See Williams v. State*, 273 Ark. 315, 619 S.W.2d 628 (1981) (per curiam).

S.W.2d 914 (1985) (per curiam). Indigency alone does not entitle a petitioner to free photocopying. *Washington v. State*, 270 Ark. 840, 606 S.W.2d 365 (1980) (per curiam). As petitioner here has cited no specific reason for requiring the requested material, the motion is denied.

It should be noted that when an appeal has been lodged in this court, the appeal transcript and other material filed on appeal remain permanently on file with the clerk. Persons may review a transcript or other material in the clerk's office and photocopy all or portions of it. An incarcerated person desiring a photocopy of a transcript or other material on file may write this court, remit the photocopying fee and request that the copy be mailed to the prison. All persons, including prisoners, must bear the cost of photocopying. *Moore v. State*, 324 Ark. 453, 921 S.W.2d 606 (1996) (per curiam).

Motion denied.

Glaze, J., not participating.